

REMARKS

In response to the Official Action of October 22, 2004, claims 1, 3, 6-8, 10, 13, 14, 16, 18, and 22 have been amended, claims 4, 5, 11 and 12 have been cancelled, and claims 31 and 32 are newly presented.

Referring now to paragraph 3 of the Official Action, claim 18 has been amended in a manner suggested by the Examiner. This claim is therefore believed to be definite.

Referring now to paragraphs 4 and 5 of the Official Action, it is respectfully submitted that claims 1, 2, 19, 20, 22, 23 and 28-30, as amended, are neither anticipated nor suggested by US patent 5,903,851, Bäckström et al (hereinafter Bäckström).

At page 3 of the Official Action, the Examiner explains why originally presented claim 1 is believed to be anticipated by Bäckström. A review of Bäckström shows that it is in fact directed to a method for providing call circuit connections between a mobile station and a remote application host and, in particular, the problems associated when a call circuit connection is established between a mobile station and a remote application host wherein a radio communications link is established between the mobile station and a base station transceiver and a mobile switching center (MSC) provides a communication link between the base station and an external network. As set forth in Bäckström at column 1, lines 50-60, the communication link between the MSC and the external network is enabled using a connection with an interworking unit (IWU) that enables data to be transferred between the differing communication protocols of the external network and the public land mobile network (PLMN), including the base station, MSC and mobile station. Bäckström goes on to state at the recited passage that connections between the base station mobile switching center and the interworking unit are referred to as the PLMN portion of the call circuit connection while the connection through the public switched telephone network (PSTN) to the remote application is referred to as the modem portion of the call circuit connection. The basic problem addressed in Bäckström is that the interworking unit

monitors the call circuit connection to detect the presence of an idle condition indicating that no data is presently being transmitted between the remote host application and the mobile station. Upon detection of such an idle condition, the radio link and the PLMN portions of the call circuit connection are disconnected while identifying data for the call circuit connection consisting of identifying information for the mobile station, the number of the called party and an interworking unit line identifier are stored within a register of the mobile switching center for future reference. While this is occurring, the PSTN portion of the call circuit connection between the MSC and the remote application host is maintained.

Bäckström goes on to discuss at column 2, lines 13-27 that if the mobile station receives a further call connection request, and if that request is to the previously accessed remote application host, the radio link and the PLMN portions of the call circuit connection are re-established with the modem portion of the call circuit connection so as to provide for further data transfer between the mobile station and the remote application host. If the further call connection request is not to the same host, the modem portion of the call circuit connection is dropped and a new call circuit connection is established to the called number.

It is to this overall method that the Examiner states anticipates originally filed claim 1. It is clear from this description that Bäckström is only directed to a circuit-switched connection and does not disclose or suggest any use with regard to multimedia connections or the like. In this regard, claim 1 has been amended to specifically recite that the negotiation signalling is for a multimedia call regarding the respective call parties and that the storing of connection information detected in the monitoring step includes at least one of a protocol used in the multimedia call between the call parties and a transcoding parameter used in the multimedia call. Furthermore, claim 1 has been amended to specify that the supplementary call service is a call hold supplementary service or a call transfer supplementary service. Support for the amended language in claim 1 can be found in the application as filed at page 5, line 19 through page 7, line 24, Figures 2 and 3 and also at page 11, lines 6-12.

In view of these amendments to claim 1, it is respectfully submitted that Bäckström does not disclose such a method for providing supplementary call service in a telecommunication network. In fact, the supplementary call services as recited in amended claim 1 are also not suggested by Bäckström. In particular, Bäckström mentions either the detection of inactivity for starting the storage of information or a second call circuit connection request as a trigger for the usage of the stored information. It is respectfully submitted that neither of these processes represents a supplementary call service as that term is known to one of ordinary skill in the art and, thus, the supplementary call services recited in amended claim 1 are believed to be neither disclosed nor suggested by Bäckström.

Furthermore, as recited above, the information stored in amended claim 1 includes connection information defining at least one of a protocol used in the multimedia call between the call parties and a transcoding parameter used in the multimedia call. This is highly different from the information recited as being stored in Bäckström wherein it is specifically noted at column 2, lines 5-9 thereof that the information stored is identifying data for the call circuit connection comprising identifying information for the mobile station, the number of the called party and an interworking unit line identifier. It is respectfully submitted that such information would not suggest the information stored at step b of amended claim 1, namely the protocol used in the multimedia call between the call parties and/or a transcoding parameter used in the multimedia call. In view of the foregoing, it is respectfully submitted that amended claim 1 is neither disclosed nor suggested by Bäckström.

Since claim 1 is believed to be distinguished over Bäckström, it is respectfully submitted that the non-cancelled dependent claims thereto are also distinguished over Bäckström; namely, claims 3, 6-10 and 13-21.

Independent apparatus claim 22 has also been amended in a manner similar to that of claim 1 and for similar reasons is believed to be distinguished over Bäckström. Since claim 22 is

believed to be distinguished over Bäckström, it is respectfully submitted that the dependent claims thereto; namely, claims 23-30 are similarly distinguished over Bäckström.

Referring now to paragraphs 6-8 of the Official Action, it is respectfully submitted that claims 3, 6, 8-10, 13, 16, 18 and 25 are not invalid under 35 U.S.C. §103(a) as unpatentable over Bäckström, further in view of US patent 6,539,237, Sayers et al (hereinafter Sayers). More particularly, Sayers is directed to a communications system formed by a private network that includes a private wireless network and a public wireless network using a public wireless protocol, such as GSM, and further includes public networks such as PSTN, ISDN and the Internet, using a wired protocol, such as IP. It is correct that Sayers discloses usage of supplementary services as set forth at column 12 thereof. However, it should be noted that such supplementary services are controlled in Sayers by a private base transceiver station (P-BTS) which is explicitly described as being part of the private network (see column 9, line 46 through column 10, line 14).

It should further be noted that Sayers describes the private network portion of the architecture as being more complex than equivalent parts of a "normal" public BTS (see column 11, lines 53-67). In contradistinction, the method for providing a supplementary call service in a telecommunication network according to claim 3 is necessarily located in either the mobile switching center (MSC) or a mobile terminal (MT) 11. Thus, the multimedia applications discussed in Sayers are implemented in a different method as that compared to claim 3 of the present invention.

Furthermore, it is respectfully submitted that there would not be motivation to combine the subject matter of Sayers with that of Bäckström in the manner as suggested by the Examiner. In Sayers, it is specifically recited that the described communication system is specific to a private network environment. A person of ordinary skill using the public call circuit connection described in Bäckström would not be motivated to look to such a private network environment to find that supplementary services could include multimedia. In particular, Bäckström is directed

to a public mobile network environment such as set forth at column 2, lines 61-67 and the supplementary services recited by the Examiner with regard to Sayers are disclosed in Sayers as being related to the private network portion of the disclosed communication system which are controlled by the above-described P-BTS. There is absolutely no suggestion or motivation in Sayers for combining the functionality of the P-BTS in a public mobile network environment as described in Bäckström. Furthermore, the system described in Bäckström makes no suggestion that it would be applicable for use with multimedia calls.

In view of the foregoing, it is therefore respectfully submitted that amended claims 3, as well as claims 6, 8-10, 13, 16, 18 and 25 are not suggested by Bäckström further in view of Sayers.

Referring to paragraph 9 of the Official Action, it is respectfully submitted that amended claim 7 is not obvious under 35 U.S.C. §103(a) in view of Bäckström further in view of Sayers further in view of US patent 6,088,600, Rasmussen. Claim 7 is now dependent from claim 1 and further specifies that the method comprises re-synchronization attempts towards one of the called parties and stopping a related timer in order to prevent a call failure. Although Rasmussen discloses a cellular modem in which the cellular modem periodically re-synchronizes with a cellular-side modem (see column 6, lines 42-43), it is respectfully submitted that for the reasons presented above, amended claim 1 is distinguished over the cited art and therefore claim 7 is also believed to be distinguished over the combination recited by the Examiner.

In view of amended claim 1 being distinguished over the cited art, it is also respectfully submitted that claims 14 and 15 rejected as obvious under 35 U.S.C. §103 as unpatentable over Bäckström further in view of Sayers further in view of US patent 6,424,646, Gerszberg et al (hereinafter Gerszberg), are also believed to be distinguished over the cited art due to their dependency from claim 1.

Similarly, claim 17 which was rejected as obvious under 35 U.S.C. §103(a) in view of Bäckström further in view of Sayers further in view of WO-99/41920, Hamalainen et al

(hereinafter Hamalainen), is believed to be distinguished over this combination in view of its dependency from amended claim 1.

Claim 21 is believed to be distinguished over the cited art and therefore its rejection under 35 U.S.C. §103(a) as unpatentable in view of Bäckström further in view of Sayers further in view of US patent 6,584,190, Bressler is believed to be overcome due to its dependency from amended claim 1.

For similar reasons, apparatus claims 24, 26 and 27 rejected respectively at paragraphs 13, 14 and 15 of the Official Action as obvious in view of Bäckström in view of Rasmussen, Bäckström in view of Gerszberg and Bäckström in view of Hamalainen respectively are believed to be overcome due to their dependency from amended claim 22 which, as set forth above, is believed to be distinguished over the cited art.

Finally, newly submitted claims 31 and 32 are also believed to be distinguished over the cited art for similar reasons as set forth above with regard to claims 1 and 22. More specifically, independent method claim 31 is similar to amended claim 1 except that it denotes that the interworking function portion is of a mobile switching center of the telecommunications network. For similar reasons as set forth with regard to claim 1, this claim is believed to be distinguished over the cited art.

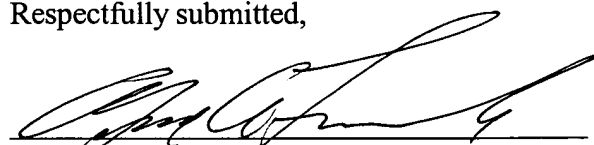
New independent apparatus claim 32 is similar to amended claim 22 except that the interworking function portion is of a mobile switching center of the telecommunications network. Therefore, for reasons similar to that set forth with regard to amended claim 22, this claim is believed to be distinguished over the cited art.

Support for the monitoring step being executed in an interworking function portion of a mobile switching center of the telecommunication network as set forth in new claim 31 and the monitoring means being comprised in an interworking function portion of a mobile switching center of the telecommunications network as set forth in new claim 32, is found in the application as filed, including page 9, lines 2-6 in connection with page 8, lines 26-29. Support

is also found at page 19, lines 9-12. At these locations, it is specifically stated that the apparatus shown in Figure 2, including the monitoring unit 34, can be implemented at any location of a telecommunication network and not necessarily at a mobile terminal.

In view of the foregoing, it is respectfully submitted that the present application as amended is in condition for allowance and such action is earnestly solicited.

Respectfully submitted,



Alfred A. Fressola
Attorney for Applicant
Registration No. 27,550

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WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
Bradford Green, Building Five
755 Main Street, P.O. Box 224
Monroe, CT 06468
Telephone: (203) 261-1234
Facsimile: (203) 261-5676
USPTO Customer No. 004955